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MEMO ENDORSED

July 5, 2023

BY ECF

Hon. Kenneth M. Karas  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Re: *Falls v. Pitts, et al.*  
16 CV 8863 (KMK)

Dear Judge Karas:

Keenan & Bhatia, LLC and I represent Raiquan Falls. I write on behalf of the parties to request that settlement discussions be handled by a Magistrate Judge, and that the July 20, 2023, status conference be rescheduled. I explain below the reasons for these requests.

Regarding settlement, it is counsel's collective belief that getting to yes is more likely if settlement discussions are handled by a Magistrate Judge and not a mediator. While a mediator has been assigned, the mediator has not yet suggested dates for mediation, or requested dates of availability from counsel. Thus, it does not appear that any administrative difficulties will ensue if the parties' application is granted. Of course, the parties will proceed with mediation if this application is denied.

Next, the Court has scheduled a conference for July 20<sup>th</sup>, at 11:00 a.m. We request an adjournment of the conference because Kimberly Hunt Lee, Esq., who represents the City of Newburgh defendants, is unavailable as she will be out of the country on a previously scheduled vacation. I note that I also have a conflict, although Mr. Keenan is available to appear on Mr. Falls' behalf.

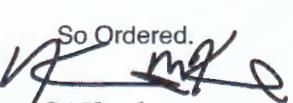
Thank you for your attention to these matters.  
The reference to the mediator is withdrawn. The Court will refer the case for settlement purposes to the assigned magistrate judge. The July 20 conference is adjourned to 9/22/23, at 10:30.

Respectfully submitted,

*Scott A. Korenbaum*

Scott A. Korenbaum

So Ordered.

 7/6/23

SAK:sak

cc: All Counsel (via ECF)